

PATRICK D. ROBBINS (CABN 152288)
Acting United States Attorney

MARTHA BOERSCH (CABN 126569)
Chief, Criminal Division

JOHNNY E. JAMES JR. (SCBN 101260)
Special Assistant United States Attorney

60 South Market Street, Suite 1200
San Jose, California 95113
Telephone: (408) 535-5061
FAX: (408) 535-5081
johnny.james@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 5:24-CR-00127 EJD
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER RE:
)	RESTITUTION
v.)	
)	Sentencing Hearing: March 24, 2025 at 1:30 p.m.
SERGIO CASPER CONTRERAS,)	
)	The Honorable Edward J. Davila
Defendant.)	

The United States and defendant SERGIO CASPER CONTRERAS (“Defendant”), by and through their counsel of record, hereby stipulate as follows:

1. On March 25, 2024, Defendant pleaded guilty to one count of coercion and enticement of a minor, in violation of 18 U.S.C. § 2422(b), and one count of possession of child pornography, in violation of 18 U.S.C. §§ 2252(a)(4)(B) and (b)(2).

2. At the sentencing hearing on March 24, 2025 the Court ordered Defendant to serve 155 months in custody, plus 15 years of supervised release, and deferred the determination of restitution. The Court set a restitution hearing date of May 1, 2025, for the final determination of restitution.

3. Restitution is mandatory to victims of child pornography pursuant to 18 U.S.C. §§ 2259 (sexual exploitation of children offenses §§ 2251-2258). Specifically, the law provides that a court

1 “shall order . . . restitution” and that this restitution order “shall order restitution to each victim” through
2 the appropriate court mechanism “in the full amount of the victim’s losses as determined by the court
3 and without consideration of the economic circumstances of the defendant.” 18 U.S.C. §§
4 2259(b)(2)(B) & (c)(2).

5 4. To conserve judicial resources, to bring about a speedy resolution of this matter, and to
6 avoid further litigation, the parties agree and jointly request that the Court, upon approval of this
7 Stipulation, may enter an Amended Judgment to order restitution to the individuals and/or entities in the
8 amounts as set forth below:

9 a. \$3,000.00 in total to Minor-1 (“D.H.”).
10 The parties stipulate that the above individual qualifies as a “victim” under the statutes cited in
11 paragraph 3, *supra*. The United States shall furnish the Clerk’s Office with physical address information
12 for each individual and/or entity.

13 5. The parties agree that the full amount of special assessment, fine, and restitution is due
14 immediately in accordance with 18 U.S.C. § 3572(d) and in accordance with the parties’ plea agreement.

15 6. The parties further agree to the following payment schedule:
16 a. During imprisonment, payment of criminal monetary penalties is due at the rate of not
17 less than \$25 per quarter and payment shall be through the Bureau of Prisons’ Inmate
18 Financial Responsibility Program.
19 b. Once Defendant is on supervised release, Defendant shall pay restitution in monthly
20 payments of not less than \$50.00 or at least 10% of earnings, whichever is greater, to
21 commence no later than 60 days from placement on supervision.

22 7. Notwithstanding any payment schedule set by the court, the United States Attorney’s
23 Office may pursue collection through all available means in accordance with 18 U.S.C. §§ 3613 and
24 3664(m). The restitution payments shall be made to the Clerk of U.S. District Court, Attention: Finance
25 Unit, 450 Golden Gate Ave., Box 36060, San Francisco, CA 94102.

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1 8. The parties request that the Court issue an Amended Judgment ordering restitution
2 payable to the individuals and/or entities identified and the terms outlined above.

3 SO STIPULATED.

4
5 DATED: April 9, 2025

PATRICK D. ROBBINS
Acting United States Attorney

7 _____
 /s/
8 JOHNNY E. JAMES JR.
9 Special Assistant United States Attorney

10 DATED: April 9, 2025

11 _____
 /s/
12 SOPHIA WHITING
Attorney for SERGIO CASPER CONTRERAS

~~[PROPOSED]~~ ORDER

SERGIO CASPER CONTRERAS will pay a total of \$3,000.00 in restitution, in the amounts specified to the individuals and/or entities specified as follows:

a. \$3,000.00 in total to Minor-1 ("D.H.").

The above individual qualifies as a victim pursuant to 18 U.S.C. §§ 2259(c)(4).

The full amount of special assessment, fine, and restitution is due immediately. During imprisonment, payment of criminal monetary penalties is due at the rate of not less than \$25 per quarter and payment shall be through the Bureau of Prisons' Inmate Financial Responsibility Program. Once Defendant is on supervised release, Defendant shall pay restitution in monthly payments of not less than \$50.00 or at least 10% of earnings, whichever is greater, to commence no later than 60 days from placement on supervision.

Notwithstanding any payment schedule set by the court, the United States Attorney's Office may pursue collection through all available means in accordance with 18 U.S.C. §§ 3613 and 3664(m). The criminal monetary penalty payments shall be made to the Clerk of U.S. District Court, Attention: Finance Unit, 450 Golden Gate Ave., Box 36060, San Francisco, CA 94102.

The Probation Office shall prepare an amended judgment in accordance with this order.

The restitution hearing originally set for May 1, 2025, is hereby vacated.

IT IS SO ORDERED.

DATE: April 9, 2025



HON. EDWARD J. DAVILA
UNITED STATES DISTRICT JUDGE